

Devlan Geddes

From: Taylor, David (Perkins Coie) <DFTaylor@perkinscoie.com>
Sent: Monday, February 26, 2018 3:00 PM
To: Robert Baldwin; Robbins, David B. (Perkins Coie); Ian McIntosh (imcintosh@crowleyfleck.com); Jennifer Rockman (jrockman@crowleyfleck.com); Starr, June (Perkins Coie); Mac Morris (wmorris@crowleyfleck.com); Miller, Phyllis (Perkins Coie); Shirley Knighton (sknighton@crowleyfleck.com); McLain, Teresa M. (Perkins Coie)
Cc: Devlan Geddes; Ben Alke; Jeff Tierney; Paul Burdett; Alisia Duganz; Alex Ammann; Karen D'sa
Subject: RE: Rembert v. BDH

Dear Counsel,

Pursuant to Section D of the Parties' Joint Discovery Plan (Dkt. 82) and Rule 26(b)(3) and (5) of the Federal Rules of Civil Procedure, BDH requests that Relators delete all copies of the following documents:

Bozeman_0057716
Bozeman_0061132

These documents are attorney client privileged communications between BDH and the law firm of Gardner Carton & Douglas LLP, outside counsel for BDH, for the purposes of assisting Gardner Carton in the provision of legal advice to BDH. Although these documents contain a CC to David Monaghan, we learned recently that the document was not in fact sent to him. Additionally, the document Bates stamped Bozeman_0057716 was marked as Exhibit 17 during the deposition of David Monaghan, prior to current counsel learning that the document was not sent to him. Exhibit 17 and all testimony related to that Exhibit, must also be clawed back, including but not limited to pages 152:14-154:6 and 155:25-156:18 of the David Monaghan deposition transcript and pages 122:5-124:2 and 125:2-5 of the T.J. Sullivan deposition transcript. Please delete all electronic and/or hard copies of these documents and all notes or other work product reflecting the contents of these documents. Please confirm that each of these steps has been taken.

Regards, Dave Taylor

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